

UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. **Reginald Black**

Docket No. 4:99-CR-11-1

Petition for Action on Supervised Release

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Reginald Black, who, upon an earlier plea of guilty to Possession With Intent to Distribute Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 13, 2000, to the custody of the Bureau of Prisons for a term of 156 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall pay a \$100 special assessment.

On April 18, 2008, the court granted the defendant's Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2), and ordered the defendant's sentence reduced to 126 months.

Reginal Black was released from custody on May 21, 2008, at which time the term of supervised release commenced.

On August 4, 2009, the court approved a Petition for Action on Supervised Release modifying the conditions of supervision to include DROPS and 2 days custody as the result of a positive drug test for marijuana. The defendant completed the 2-day jail sanction August 30, 2009.

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On May 23, 2011, the court approved a Petition for Action on Supervised Release modifying the conditions of supervision to include 24 hours community service as the result of Black committing the offense of Driving While License Revoked. The community service hours were completed August 30, 2011.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 18, 2012, Black tested positive for marijuana during an office appointment. When confronted with the violation, Black signed an Admission of Drug Use form indicating he used marijuana on or about December 30, 2011. Black further explained he has been suffering with depression as the result of his recent unemployment status, the possibility of being evicted from his rental home, and the death of his fiancee's mother. Black also reported he believed he would benefit from mental health counseling.

In response to the above violation, the probation officer respectfully requests the conditions of supervision be modified to include mental health counseling to address Black's depression. Additionally, the defendant will be referred for a substance abuse assessment and re-enrolled in the Surprise Urinalysis Program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley

Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.

C. Lee Meeks, Jr.
U.S. Probation Officer
472-C Western Blvd.
Jacksonville, NC 28546-6862
Phone: (910) 347-9038
Executed On: January 30, 2012

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ORDER OF COURT

Considered and ordered this 30th day of January, 2012, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard
Malcolm J. Howard
Senior U.S. District Judge